

Junior Doctors Contract Correspondence

Request and Response

I would like to request to see any correspondence relating to the junior doctor contract between your Chief Executive Officer and NHS Employers and/or the NHS Confederation and/or Sir David Dalton from the last six months.

OUR RESPONSE:

I can confirm that Leicestershire Partnership NHS Trust holds the information you requested. However, we are withholding the information since we consider that the exemption under section 36(2)(b)(i) 36(2)(ii) of the Freedom of Information Act applies to it. A public interest test has been carried out and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

S36(2)(b)(i) and (ii) Public Interest Test:

Arguments in favour of disclosure	Arguments in favour of maintaining the exemption
<ul style="list-style-type: none">• Furthering the understanding and participation in the public debate of issues of the day.• Promoting accountability and transparency by public authorities for decisions taken by them.• Allowing individuals, companies and other bodies to understand decisions made by public authorities affecting their lives.• Bringing to light information affecting public health and safety.	<ul style="list-style-type: none">• Disclosure would, or would be likely to, inhibit the ability of the Chief Executive, public authority staff and others to express themselves openly, honestly and completely, or explore extreme options, when providing advice or giving their views as part of the process of deliberation. Knowledge of these emails may inhibit the provision of advice, exchange of views or the full exploration of options, thereby potentially impairing the quality of decision making by the Chief Executive.• Provision of guidance from NHS Employers to Chief Executives, which states “Even though an announcement has been made on the implementation of the junior doctors’ contract, <u>this is still very much a live policy area</u> and section 36 continues to apply”.

In an effort to be helpful, however, please find attached a copy of the media statement issued by Dr Peter Miller.